IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11465 of 2005

Between:

D. Maheshbabu S/o. Poshetty
R/o.Pothupally Village, Odella Mandal, Warangal Dist., being . . minor, rep.by his Father&Natural Guradian D. Poshetty
S/o. Mallaiah,48 yrs, R/o. Pothkapally (V) Odella (M), Warangal . District.

..... PETITIONER

AND

1 The Board of Secondary Education Govt. of A.P
Rep.by its Secretary Hyderabad.
2 The Commissioner of Govt., Examinations, Govt. of A.P
Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not revaulating/recounting the marks in respect of the subjects Telugu, Hindi, English, Mathematics and Social Studies subjects on identification of the answer scripts by the petitioner even on payment of necessary fees as being illegal, arbitrary, violative of principles of natural justice, besides Articles 14 and 21, of the Constitution of India, and consequently direct the respondents to conduct the revaluation/recounting of the marks in the presence of the petitioner on identification of the answer scripts of subjects Telugu,Hindi,English,Mathematics and Social Studies Subjects.

Counsel for the Petitioner:MR.C.A.RSESHAGIRI RAO

Counsel for the Respondents.: GP FOR EDUCATION

The Court made the following :

ORDER:

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This writ petition is filed seeking a direction to the respondents to recount the marks of the petitioner in respect of Telugu,Hindi, English, Mathematics and Social subjects in the presence of the petitioner.

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing on behalf of the respondents.

It is not disputed that on payment of requisite fee recounting of marks is permissible. It seems the petitioner has paid required fee for the purpose of recounting. The only grievance of the petitioner is that recounting may be done in his presence. The learned Government Pleader did not raise any objection with regard to the presence of the petitioner at the time of recounting.

Therefore, without going into the merits of the case, the writ petition is disposed of directing the respondents to recount the marks of the petitioner in respect of Telugu, Hindi, English, Mathematics and Social Studies subjects in the presence of the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

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K.C.Bhanu,J.

24th May, 2005

Note:

C.C. in two days.

B/o

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Board of Secondary Education Govt. of A.P
Rep.by its Secretary Hyderabad.
2 The Commissioner of Govt., Examinations, Govt. of A.P
Hyderabad.

3. 2 CCs to G.P. for Education, High Court Buildings, Hyderabad (OUT)

4. 2 CD copies

5. 1 CC to MR.SESHAGIRI RAO

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 11465 of 2005

24th May, 2005